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August 20, 2004

TO: EXAMINER PHIRIN SAM

COMPANY: USPTO --GROUP ART UNIT 2661

FAX NO: 703-872-9306

RE: SERIAL NO. 09/604,152 OF CHARLES C. BYERS FILED 6/27/2000

Our Reference No.: BYERS 38

FROM: WALTER W. DUFT, REG. NO. 31,948

NUMBER OF PAGES INCLUDING COVER SHEET: 5

COMMENTS:

PLEASE SEE THE ATTACHED PAPERS:

1. RESPONSE TO FIRST OFFICE ACTION;
2. CHANGE OF CORRESPONDENCE ADDRESS.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

CHARLES CALVIN BYERS

SERIAL NO.: 09/604,152

FILED: June 27, 2000

FOR: SYSTEM AND METHOD FOR
PROVIDING CONTROLLED
BROADBAND ACCESS BANDWIDTH

Group Art Unit: 2661

Examiner: Phirin Sam

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

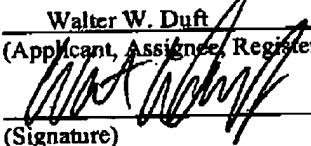
Sir:

RESPONSE TO FIRST OFFICE ACTION

In response to the first Office Action mailed on May 20, 2004, Applicant hereby respectfully amends the subject application, as follows:

I hereby certify that this correspondence is being transmitted via facsimile in accordance with 37 CFR 1.6(d) and 1.8 to the United States Patent and Trademark Office, to the attention of Primary Examiner Phirin Sam of Group Art Unit 2661 at (703) 872-9306, on:

August 20, 2004
(Date)

Walter W. Duft
(Applicant, Assignee, Registered Representative)

(Signature)

August 20, 2004
(Date of Signature)